

Serial No.: 09/496,137

Attorney's Docket No.: 06618/414001/CIT2945

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REMARKS

Claims 1-21, 23-26, 29, 30, and 32 are pending, with claims 1, 2, 5, 7, 15, 18, 19, 20, 26, 29, and 31 being independent. Claims 1, 15, 26, 29, 30, and 32 have been cancelled without prejudice by this response. Claims 4, 8, 9, 10, 16-19, 21, and 23-25 have been amended. No new matter has been added. Reconsideration and allowance of the above-referenced application are respectfully requested.

Allowable Subject Matter:

Claims 2, 3, 5-7, and 20 have been allowed. Claims 4, 10-14, and 25 have been indicated as allowable. Examiner Nguyen's return voice mail on November 3, 2006, which clarified that the allowable subject matter is as stated in the body of the Action on page 12, and not as stated on the Office Action Summary page, was appreciated.

Allowable claims 4, 10, and 25 have been amended to be in independent form. Claims 11-14 depend from claim 10. Thus, claims 4, 10-14, and 25 are now in condition for allowance.

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Claim Rejections:

Claims 1, 18, 19, 26, 29, and 30 stand rejected under 35 U.S.C. 102(a) as allegedly being anticipated by Nishino et al. (3D Object Modeling Using Spatial and Pictographic Gestures). Claims 8, 9, 15-17, 21, 23, and 24 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Nishino in view of Brody et al. (Body language user interface, BLUI). Claim 32 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Nishino. These contentions are respectfully traversed.

The rejections of claims 1, 15, 26, 29, 30, and 32 have been obviated by the cancellation of these claims without prejudice.

Claims 8 and 9 have been amended to depend from allowable claim 4. Claims 16-19, 21, 23, and 24 have been amended to depend from allowable claim 25. Thus, each of claims 8, 9, 16-19, 21, 23, and 24 are now in condition for allowance, and withdrawal of the rejections is respectfully requested.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific issue or comment does not signify agreement with or concession of that issue or comment. Because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all

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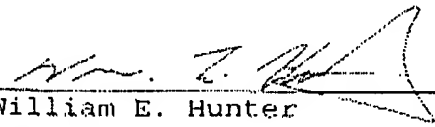
pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

It is respectfully suggested for all of these reasons, that the current rejections are overcome, that none of the cited art teaches or suggests the features which are claimed, and therefore that all of these claims should be in condition for allowance. Therefore, a formal notice of allowance is respectfully requested.

Please apply the one month extension of time fee and any other necessary charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: November 30, 2006

  
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